

Members

Sen. Connie Lawson, Chairperson
Sen. Vi Simpson
Rep. Cindy Noe
Rep. Charlie Brown
Abigail P. Flynn
Loretta Kroin
Bryan Lett
Valerie N. Markley
Robert N. Postlethwait
David Thomas
Kathleen OConnell
Kurt Carlson
Chuck Clark
Caroline Doebbling
Christopher Taelman
Dennis Jones



COMMISSION ON MENTAL HEALTH

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MEETING MINUTES¹

Meeting Date: October 25, 2005
Meeting Time: 10:30 A.M.
Meeting Place: State House, 200 W. Washington St., Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 5

Members Present: Sen. Connie Lawson, Chairperson; Sen. Vi Simpson; Rep. Cindy Noe; Rep. Charlie Brown; Abigail P. Flynn; Loretta Kroin; Valerie N. Markley; Robert N. Postlethwait; Kathleen OConnell; Kurt Carlson; Chuck Clark; Christopher Taelman.

Members Absent: Bryan Lett; David Thomas; Caroline Doebbling; Dennis Jones.

I. Call to Order: Senator Connie Lawson, Chairperson, called the meeting to order at 10:40 A.M. She thanked the members and others present for participating in the meetings during the interim. The Chairperson also thanked those who participated in the transforming mental health meetings held by the Division of Mental Health and Addiction (DMHA) during the week of October 17.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

II. Update on Mental Health and Addiction Initiative for Children and Families:

Ms. Betty Walton, children's services consultant, DMHA, Family and Social Services Administration (FSSA), expanded on the presentation she made to the Commission at the October 4, 2005, meeting. (Exhibits 1 and 2) The information provided in Exhibit 2 covers children who are receiving services under Hoosier Assurance and not Medicaid. In answer to a question concerning the differences in the percentages of African American and Caucasian children served by providers and those who receive services funded by DMHA, Ms. Walton said that the differences in the total number of children served and those enrolled in programs funded by DMHA can be attributed to different programs defining and paying for enrollments differently.

Ms. Walton discussed the childhood health plan required by SEA 529 from 2005. Currently a group including DMHA, the Department of Child Services, the Department of Education Division on Exceptional Learners, the Governor's office, the Department of Health, the Department of Correction (DOC), and the Office of Medicaid Policy and Planning are meeting to develop and implement the plan. On November 16 there will be a public forum on the topic, and information will be available on line on the Department of Education Website (www.doe.state.in.us/exceptional/TaskForce.html.) after November 2. Representative Charlie Brown said that training teachers to identify children with mental health problems is important to the process. Ms. Walton said that if a screening program is considered, the program will need to have parental involvement as a component.

III. Update on Drug Formulary Used by the DOC:

Dr. Elton Amos, Medical Director for DOC, discussed the letter Commissioner David Donahue sent to the Commission. (Exhibit 3) In response to the concerns expressed by members concerning the drug formulary used by DOC, Dr. Amos made the following points. He emphasized that all inmates receive screening, which includes mental health screening, upon entering the DOC system and that all of those needing psychiatric drugs receive appropriate drugs even if those drugs are not the newest generation drugs. DOC does not always receive complete information from county jails when inmates are transferred to DOC. Dr. Amos also indicated that if the physician treating an inmate wants to use a drug that is not on the formulary, the physician can request another drug from the doctor who supervises the contract with Correction Medical Services (CMS).

Further, Dr. Amos discussed the unique environment in which DOC treats inmates. Unlike the private sector, DOC is sure that the individuals are actually receiving medication regularly. However, there are concerns that even if the person administering the drugs sees an inmate appear to take the drugs, there is the potential for the drugs to get to the general population through the black market. Because of the unique circumstances surrounding inmates, the DOC, according to Dr. Amos, must take greater care in choosing and dispensing drugs.

There was also discussion on the cost of drugs. Commission members asked for further information on the possibility of pooling the purchase of drugs by the state for Medicaid and DOC. There are some restrictions on pooling with Medicaid, but there are also some additional pooling possibilities which should be pursued. Members asked Dr. Amos to do further research as to whether or not CMS could find savings by combining their drug purchases for Indiana with the other states in which they have contracts. Also, Dr. Amos was asked to check out a multi-state purchasing compact. Ms. Kathy Norris will do research on the costs involved in pooling purchasing power for the purchase of drugs. Dr. Amos also reported that the DOC is in the process of having all medical records kept electronically so that when an inmate is transferred from one facility to another, the medical records are immediately available in the new facility.

At the close of Dr. Amos' presentation, Senator Lawson listed the following as issues on which the Commission wanted additional information:

- multi- state purchasing
- copies of the DOC drug formulary
- whether or not the bi-monthly meetings of the committee which sets the drug formulary are public; and
- analysis of costs of pooling for the purchase of drugs

The DOC provided a brief update on the additional training correctional officers are receiving as a result of legislation recommended by the Commission last year. In addition to the training all guards receive, Wabash Valley has a program for some more advanced training that will be made available to personnel with more direct contact with inmates with mental illness.

There was discussion on the issues with the type of care available in local jails. Senator Lawson discussed meetings in the future with sheriffs and DOC that might help sensitize the local jails to the needs for more identification and treatment for those with mental illness.

IV. Discussion of Our Town Program: Senator Lawson reminded the members of the presentation on the Our Town program at the first meeting of the Commission. The program provides support to young adults with mental illness. She asked Mr. Stephen McCaffrey, Mental Health Association in Indiana, to review the program and to identify for the Commission the needs of the program for the future. Mr. McCaffrey told the Commission that the program was a pilot program funded by grants. He would like to see the program receive more funding and be expanded in other areas of the state.

V. Recommendations of the Commission:

Recommendation #1 - Representative Brown made a motion that was seconded by Senator Simpson that the Commission support appropriate funding and possible expansion of the Our Town program. The motion passed by consent.

Recommendation #2 - Mr. Clark made a motion that was seconded by Ms. Flynn that the Department of Correction use a drug formulary which is no more restrictive than the Medicaid drug formulary. The motion was adopted by consent.

Recommendation #3 - Mr. Postlethwait made a motion that was seconded by Senator Simpson that since the issue of appropriate mental health treatment for inmates goes beyond just the formulary, the entire correctional system, including local jails, should work on a plan where mental health services and psychiatric drugs are provided at the local jails and that the records from local jails follow the inmates to the DOC. Whatever system is developed for sharing records should be sensitive to HIPPA constraints. The motion was adopted by consent.

Recommendation #4 - PD 3050 (Exhibit 4) was considered by the Commission. The Commission expires on January 1, 2006, and the draft would make the Commission permanent. Representative Brown offered an amendment to PD 3050 that provided that when appointing members, the Governor should seek geographic balance. (Exhibit 5) Mr. Taelaman made a motion that was seconded by Mr. Postlethwait to adopt the amendment. The motion was adopted by consent. Representative Brown further requested that the charge for the Commission clearly include addressing issues involving children with mental illness. Since that amendment was not written, Ms. Kroin made a motion that was

seconded by Mr. Clark to amend the draft and to authorize Senator Lawson to approve the final language. The motion was adopted by consent. Senator Simpson made a motion that was seconded by Representative Brown that the Commission recommend PD 3050 to the General Assembly. The motion passed by a vote of 11 to 0.

Recommendation #5 - Ms. Flynn made a motion that was seconded by Ms. Markley, for the Commission to follow the closing of the Fort Wayne State Developmental Center with particular attention to the use of beds at the mental hospitals for clients who are mentally retarded and developmentally disabled (MR/DD). The motion was adopted by consent.

VI. Other business: Mr. Mike Kempf provided the Chairperson with a letter concerning drugs for individuals in the correctional system. (Exhibit 6) Ms. Flynn read an e-mail which she had sent to the legislative members of the Commission concerning the closing of the Fort Wayne State Developmental Center.

VII. Adjournment: The meeting was adjourned at 12:55 P.M.